

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uspto.gov

JAN 2 2 2010

In re Application of

David A. Fischoff, et al Serial No. 08/434105

Filed: May 3, 1995

For: SYNTHETIC PLANT GENES AND METHOD

FOR PREPARATION

NOTICE OF WITHDRAWAL

FROM ISSUE

UNDER 37 CFR 1.313(b)

The purpose of this communication is to inform you that the above-identified application is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn to permit reopening of prosecution. The reasons therefore will be communicated to you by the examiner.

PTO records reveal that the issue fee has not been paid. If the issue fee has been submitted, the applicant may request a refund or may request that the fee be credited to a deposit account. However, applicant may wait until the application is either again found allowable or held abandoned. If the application is allowed, upon receipt of a new Notice of Allowance and Issue Fee Due, applicant may request that the previously submitted issue fee be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due. If the application is abandoned, applicant may request either a refund or a credit to a deposit account.

The application is being forwarded to the examiner for action.

Remy Yucel, Director

Technology Center 1600

MARSHALL, GERSTEIN & BORUN LLP (MONSANTO) 6300 SEARS TOWER 233 SOUTH WACKER DRIVE CHICAGO, IL 60606